

**Amendments to the Claims:**

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) An image forming device comprising:

a fixing member that performs a fixing operation to fix a developer onto a fixing medium, the fixing member having a surface, the developer having a melting temperature that is a first temperature;

a heater that generates heat to heat the fixing member;

a first detecting member that detects a surface temperature of the fixing member;

a driving member that rotates the fixing member;

a contact member that constantly contacts the surface of the fixing member;

a controller that controls the heater and the driving member, the controller determines;

and

~~——a second detecting member that detects~~ whether or not the surface temperature of the fixing member has dropped below a third temperature after the surface temperature has previously reached a second temperature higher than the first temperature, the third temperature being equal to or higher than the first temperature and lower than the second temperature, wherein

the controller controls the heater to start generating heat at a predetermined timing;

when if the surface temperature of the fixing member detected at the predetermined timing by the first detecting member is lower than the third temperature, the controller controls the driving member to start rotating the fixing member after the surface temperature of the fixing member exceeds the second temperature; and

~~if,~~ when the surface temperature of the fixing member detected at the predetermined timing, ~~the second by the first detecting member detects that the surface temperature of the~~

~~fixing member~~ has not dropped below the third temperature after the surface temperature has previously reached the second temperature, the controller controls the driving member to start rotating the fixing member.

2. (Original) The image forming device according to claim 1, wherein the second temperature is a surface temperature of the fixing member at which a developer adhering to the contact member melts when the fixing member whose surface temperature is lower than the first temperature is heated by the heater.

3. (Original) The image forming device according to claim 2, further comprising a plurality of contact members constantly contacting the surface of the fixing member, wherein the second temperature is a surface temperature of the fixing member at which a developer adhering to one of the plurality of contact members having the largest thermal capacity melts when the fixing member whose surface temperature is lower than the first temperature is heated by the heater.

4. (Original) The image forming device according to claim 1, wherein the controller controls the heater to maintain the surface temperature of the fixing member at a fixing temperature that is higher than the second temperature during the fixing operation, and the controller controls the heater to maintain the surface temperature of the fixing member at the second temperature during a non-fixing operation.

5. (Original) The image forming device according to claim 1, wherein the third temperature is equal to the first temperature.

6. (Original) The image forming device according to claim 1, wherein the controller executes a warm-up operation in preparation for a printing process.

7. (Currently Amended) The image forming device according to claim 1, wherein when~~if~~ the surface temperature of the fixing member detected at the predetermined timing by the first detecting member is lower than the second temperature and when the

~~second detecting member detects~~ controller determines that the surface temperature of the fixing member has dropped below the third temperature after the surface temperature has previously reached the second temperature, the controller controls the driving member to start rotating the fixing member after the surface temperature of the fixing member exceeds the second temperature.

8. (Currently Amended)      The image forming device according to claim 1, wherein when~~if~~ the surface temperature of the fixing member detected at the predetermined timing by the first detecting member is higher than the third temperature, the controller controls the driving member to start rotating the fixing member immediately after the controller controlled the heater to start generating heat.

9. (Currently Amended)      An image forming device comprising:  
a fixing member that performs a fixing operation to fix a developer onto a fixing medium, the fixing member having a surface, the developer having a melting temperature that is a first temperature;

a heater that generates heat to heat the fixing member;

a first detecting member that detects a surface temperature of the fixing member;

a driving member that rotates the fixing member;

a contact member that constantly contacts the surface of the fixing member;

a controller that controls the heater and the driving member, the controller determines;

and

~~——a second detecting member that detects~~ whether or not the surface temperature of the fixing member has dropped below a third temperature after the surface temperature has previously reached a second temperature higher than the first temperature, the third temperature being equal to or higher than the first temperature and lower than the second temperature, wherein

the controller controls the heater to start generating heat at a predetermined timing; whenif the surface temperature of the fixing member detected, at the predetermined timing, by the first detecting member is lower than the third temperature, the controller controls the driving member to start rotating the fixing member after a first predetermined time has elapsed after the surface temperature of the fixing unit reached the third temperature by controlling the heater; and

~~if~~when the surface temperature of the fixing member detected, at the predetermined timing, ~~by the second~~ first detecting member ~~detects that the surface temperature of the fixing member~~ has not dropped below the third temperature after the surface temperature has previously reached the second temperature, the controller controls the driving member to start rotating the fixing member after a second predetermined time has elapsed after the controller controlled the heater to start generating heat, the second predetermined time being shorter than the first predetermined time.

10. (Currently Amended) The image forming device according to claim 9, wherein the controller controls the driving member to start driving the fixing member immediately after the controller controls the heater to start generating heat ~~if~~when, at the predetermined timing, the ~~second detecting member detects~~ controller determines that the surface temperature of the fixing member has not dropped below the third temperature after the surface temperature has previously reached the second temperature and whenif the predetermined timing is within a third predetermined time after the surface temperature of the fixing member dropped below the second predetermined temperature.

11. (Original) The image forming device according to claim 9, wherein the second temperature is a surface temperature of the fixing member at which a developer adhering to the contact member melts when the fixing member whose surface temperature is lower than the first temperature is heated by the heater.

12. (Original) The image forming device according to claim 11, further comprising a plurality of contact members constantly contacting the surface of the fixing member, wherein the second temperature is a surface temperature of the fixing member at which a developer adhering to one of the plurality of contact members having the largest thermal capacity melts when the fixing member whose surface temperature is lower than the first temperature is heated by the heater.

13. (Original) The image forming device according to claim 9, wherein the controller controls the heater to maintain the surface temperature of the fixing member at a fixing temperature that is higher than the second temperature during the fixing operation, and the controller controls the heater to maintain the surface temperature of the fixing member at the second temperature during a non-fixing operation.

14. (Original) The image forming device according to claim 9, wherein the third temperature is equal to the first temperature.

15. (Original) The image forming device according to claim 9, wherein the controller executes a warm-up operation in preparation for a printing process.